

IN THE SENATE

SENATE BILL NO. 1354, As Amended in the House

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO DEVELOPMENT OF THERMAL ENERGY SYSTEMS BY SCHOOL DISTRICTS; AMENDING CHAPTER 6, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-604, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO DEVELOP, OWN, MAINTAIN, OPERATE AND CONTRACT FOR THE DEVELOPMENT OF THERMAL HEATING AND COOLING ENERGY GENERATION AND DISTRIBUTION SYSTEMS; AMENDING CHAPTER 6, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-605, IDAHO CODE, TO AUTHORIZE SCHOOL DISTRICTS TO SELL THERMAL ENERGY; AND AMENDING SECTION 33-1102, IDAHO CODE, TO AUTHORIZE THE ISSUANCE OF SCHOOL BONDS FOR THE PURPOSE OF ACQUIRING THERMAL ENERGY SYSTEMS AND TO NEGATE APPLICATION OF THE BOND LEVY EQUALIZATION PROGRAM.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 6, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-604, Idaho Code, and to read as follows:

33-604. RENEWABLE THERMAL ENERGY. The board of trustees of each school district is empowered to establish, create, develop, own, maintain, operate and contract for the establishment, creation, development, ownership, maintenance and operation of thermal heating and cooling energy generation and distribution systems, including hot or chilled water systems, where thermal energy is generated from biomass, geothermal or solar renewable energy.

SECTION 2. That Chapter 6, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-605, Idaho Code, and to read as follows:

33-605. SALES OF EXCESS ENERGY. The board of trustees of a school district which operates an energy system as described in section 33-604, Idaho Code, may use, sell or exchange excess thermal hot or chilled water not needed by the school district subject to the following conditions:

(1) Revenues from the sale of energy as described in section 33-604, Idaho Code, shall be used for the benefit of the school district.

(2) Sale of energy as described in section 33-604, Idaho Code, shall be pursuant to a school district written contract approved by resolution of the board of trustees of the school district, which resolution shall be forwarded to the state department of education.

SECTION 3. That Section 33-1102, Idaho Code, be, and the same is hereby amended to read as follows:

33-1102. PURPOSES FOR WHICH BONDS MAY BE ISSUED. The purposes for which bonds may be issued shall be: To acquire, purchase or improve a school site or school sites; to build a schoolhouse or schoolhouses or other

1 building or buildings; to demolish or remove school buildings; to add to,  
2 remodel or repair any existing building; to furnish and equip any building  
3 or buildings, including all lighting, heating, ventilation and sanitation  
4 facilities and appliances necessary to maintain and operate the buildings  
5 of the district; ~~and~~ to purchase school buses and to acquire, develop or  
6 renovate school facilities to establish, create and develop renewable  
7 energy systems as described in section 33-604, Idaho Code. The provisions  
8 of section 33-906, Idaho Code, shall not apply to bonds or portions of bonds  
9 issued to acquire, develop or renovate school energy systems as authorized  
10 in section 33-604, Idaho Code, when the school district begins to sell  
11 thermal energy for revenue as authorized in section 33-605, Idaho Code.